

SENATE BILL 3230
By Wright

AN ACT to amend Chapter 663 of the Private Acts of 1937; as amended by Chapter 72 of the Private Acts of 1987, and any other acts amendatory thereto, relative to the board of education of Sumner County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 663 of the Private Acts of 1937, as amended by Chapter 72 of the Private Acts of 1987, and any other acts amendatory thereto, is amended by deleting Section 5 in its entirety and by substituting instead the following:

Section 5. From this day forward no member of the board of education shall be elected at-large and all members shall be elected from education districts as set out in this act. Board members shall be residents and qualified voters of the education districts from which they are elected, and shall be citizens of recognized integrity, intelligence and ability, to administer the duties of the office, and shall have a practical education. If any member who was elected to a particular education district seat ceases to reside in the education district from which that member was elected, the office of such member shall become vacant except as provided in Section 3. Further upon the occurrence of a vacancy to a particular education district seat, the successor to that vacancy shall be a resident of the district from which the former member was elected. If a vacancy occurs in the office of the present member, who was elected at-large, the successor to that vacancy shall be a citizen and resident of Sumner County, Tennessee. No member of the county commission nor any other county official shall be eligible to serve as a member of such board.

Vacancies of such board occurring for any reason shall be filled as provided for by law. The present board shall continue to serve until the expiration of their respective terms or until their successors are duly elected and qualified. Candidates for office as members of the board of education shall qualify at the same time and in the same manner that other offices of the county qualify and that election shall be at the same time and subject to the same laws which govern the election of other county officials.

Members elected, as set out in Section 4, shall take office on September 1 following their election in August.

Nothing in this act shall interfere with or otherwise affect any of the present members of the Sumner County board of education and the provisions of this act shall not apply to prevent any of the members from completing their present terms of office to which they have been previously elected.

The member, who was elected or appointed at-large for a term ending August 31, 1998, may seek election to or appointment to the seat of the education district in which he or she resides; provided, however, upon election or appointment as a member representing one of the education districts, such at-large member shall vacate the at-large seat.

SECTION 2. Should any provision of this private act be in conflict with any of the remaining provisions of Chapter 663 of the Private Acts of 1937, or any amendments thereto, the provision of this private act shall prevail.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Sumner County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.